

CLOSED,CONMAG

**U.S. District Court
Southern District of Ohio (Cincinnati)
CIVIL DOCKET FOR CASE #: 1:07-cv-00721-TSH**

Manley v. United States Navy
Assigned to: Magistrate Judge Timothy S Hogan
Cause: 05:552 Freedom of Information Act

Date Filed: 08/30/2007
Date Terminated: 09/22/2008
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Thomas Manley**

represented by **Curt Carl Hartman**
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Amelia, OH 45102
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**United States Navy**

represented by **Gerald Francis Kaminski**
US Attorney
221 E. Fourth Street
Suite 400
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513-684-3711
Email: gerald.kaminski@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
08/30/2007	<u>1</u>	COMPLAINT with Jury Demand filed by Plaintiff Thomas Manley against Defendant United States Navy. (Filing fee \$ 350.) (Attachments: # <u>1</u> Civil Cover Sheet) (scot1,) (Entered: 08/31/2007)
08/30/2007		Filing fee: \$ 350, receipt number 435431 (scot1,) (Entered: 08/31/2007)
08/30/2007	<u>2</u>	Summons Issued as to United States Navy. (scot1,) (Entered: 08/31/2007)
08/30/2007		***If this case is referred, it will be to Magistrate Judge Timothy S. Hogan. (scot1,) (Entered: 08/31/2007)
09/28/2007	<u>3</u>	<i>Defendant's</i> ANSWER to Complaint by Defendant United States Navy. (Kaminski, Gerald) (Entered: 09/28/2007)
10/23/2007	<u>4</u>	NOTICE of Hearing:Pretrial Conference set for 12/13/2007 11:00 AM in chambers before Judge Susan J. Dlott. Joint discovery plan due by 11/20/07. (wam1,) (Entered: 10/23/2007)
11/15/2007	<u>5</u>	NOTICE of Hearing:Preliminary Pretrial Conference has been RESET for 12/11/2007 10:30 AM in chambers before Judge Susan J. Dlott. (wam,) (Entered: 11/15/2007)
11/16/2007	<u>6</u>	NOTICE by Defendant United States Navy <i>of Filing of Administrative Records</i> (Attachments: # <u>1</u> Exhibit Administrative Record) (Kaminski, Gerald) (Entered: 11/16/2007)

11/20/2007	<u>7</u>	RULE 26(f) REPORT <i>Joint Discovery Plan, Requested Briefing Schedule and Consent to the Exercise of Jurisdiction By a United States Magistrate Judge</i> by Defendant United States Navy. (Kaminski, Gerald) (Entered: 11/20/2007)
11/27/2007	8	[FORMER DOC. #27] ORDER by Judge Susan J. Dlott transferring case to Clerk for reassignment. Judge Susan J. Dlott no longer assigned to case. (Case reassigned to Judge S. Arthur Spiegel for all further proceedings) (scot1,) Modified to remove PDF on 11/27/2007 (scot1,). (Entered: 11/27/2007)
11/27/2007		Notice of Correction re [FORMER DOC. 8] Order Reassigning Case. Document removed due to clerical error. Order was consenting case to magistrate judge and not reassigning case to another judge. Clerk to refile order correctly. (scot1,) (Entered: 11/27/2007)
11/27/2007	<u>9</u>	ORDER by Judge Susan J. Dlott that pursuant to advice from counsel for the parties that they have consented to disposition of this matter by the U.S. Magistrate Judge, this case is hereby transferred to United States Magistrate Judge Timothy S. Hogan. (scot1,) (Entered: 11/27/2007)
11/27/2007	<u>10</u>	NOTICE of Scheduling Conference set for Thursday, 1/10/2008 at 01:00 PM via telephone before Magistrate Judge Timothy S Hogan. (art,) (Entered: 11/27/2007)
01/10/2008	<u>11</u>	Minute Entry: Case called this date for scheduling conference via telephone before Magistrate Judge Timothy S Hogan. Counsel for plaintiff and defendant present. Case calendar established. Order of the Court to follow. Scheduling Conference held on 1/10/2008. (Court Reporter none present.) (art,) (Entered: 01/15/2008)
01/15/2008	<u>12</u>	CALENDAR ORDER: Cross Motions for summary judgment deadline set for 1/31/2008; Reply briefs deadline set for 2/25/2008. Signed by Magistrate Judge Timothy S Hogan on 1/14/2008. (art,) (Entered: 01/15/2008)
01/31/2008	<u>13</u>	MOTION for Summary Judgment <i>and Memorandum of Law in Support</i> by Defendant United States Navy. Responses due by 2/25/2008 (Kaminski, Gerald) (Entered: 01/31/2008)
01/31/2008	<u>14</u>	MOTION for Summary Judgment <i>with Memorandum in Support</i> by Plaintiff Thomas Manley. Responses due by 2/25/2008 (Hartman, Curt) (Entered: 01/31/2008)
02/25/2008	<u>15</u>	RESPONSE in Opposition re <u>13</u> MOTION for Summary Judgment <i>and Memorandum of Law in Support</i> filed by Plaintiff Thomas Manley. (Hartman, Curt) (Entered: 02/25/2008)
02/25/2008	<u>16</u>	RESPONSE in Opposition re <u>14</u> MOTION for Summary Judgment <i>with Memorandum in Support</i> filed by Defendant United States Navy. (Kaminski, Gerald) (Entered: 02/25/2008)
09/22/2008	<u>17</u>	ORDER denying defendant's <u>13</u> Motion for Summary Judgment; granting plaintiff's <u>14</u> Motion for Summary Judgment. The department of the Navy make the records requested available to plaintiff without fee or charge within (45) days of the date of this Order. Plaintiff's <u>14</u> request for an award of costs and attorney fees has not been supported by any legal authority. Plaintiff's request is denied without prejudice to refile a motion that is supported by legal authority. Signed by Magistrate Judge Timothy S Hogan on 9/19/2008. (art,) (Entered: 09/22/2008)
09/22/2008	<u>18</u>	JUDGMENT in favor of Thomas Manley against United States Navy pursuant to Ordered entered by Magistrate Judge Timothy S Hogan on 9/22/2008. (art,) (Entered: 09/22/2008)
09/29/2008	<u>19</u>	AGREED ORDER postponing plaintiff's obligation to submit fee application pending final decision by defendant whether or not to appeal the judgment in this matter. Signed by Magistrate Judge Timothy S Hogan on 9/29/2008. (art,) (Entered: 09/29/2008)
12/02/2008	<u>20</u>	Joint MOTION for Order to <i>Establish Scheduling For Application for Attorney Fees Award</i> by Plaintiff Thomas Manley, Defendant United States Navy. (Hartman, Curt) (Entered: 12/02/2008)

12/03/2008	<u>21</u>	ORDER granting parties Joint <u>20</u> Motion for Scheduling Order regarding application for attorney fee award. Parties to notify Court whether settlement has been reached by 1/12/2009; Plaintiff's motion for attorney fees due by 1/19/2009; Defendant's memorandum in opposition due by 2/11/2009; Plaintiff's reply memorandum in support due by 2/20/2009. Signed by Magistrate Judge Timothy S Hogan on 12/3/2008. (art,) (Entered: 12/03/2008)
01/12/2009	<u>22</u>	STATUS REPORT <i>on Resolution of Issue of Attorney Fee</i> by Plaintiff Thomas Manley. (Hartman, Curt) (Entered: 01/12/2009)
01/19/2009	<u>23</u>	MOTION for Extension of Time New date requested 1/28/2009. <i>to File Attorney Fee Application</i> by Plaintiff Thomas Manley. (Hartman, Curt) (Entered: 01/19/2009)
01/22/2009	<u>24</u>	ORDER granting plaintiff's <u>23</u> Motion for Extension of Time until 1/28/2009 in which to file attorney fee application. Signed by Magistrate Judge Timothy S Hogan on 1/22/2009. (art,) (Entered: 01/22/2009)
01/29/2009	<u>25</u>	STATUS REPORT <i>on Resolution of Issue of Attorney Fees</i> by Plaintiff Thomas Manley. (Hartman, Curt) (Entered: 01/29/2009)
02/03/2009	<u>26</u>	ORDER that the parties joint report <u>25</u> that the issue of attorney's fees has been resolved. This matter is dismissed with prejudice, provided the the matter may be reopened within (75) days if the settlment is not consummated. The Court retains jurisdiction over the settlement contract for the purposes of its enforcement. Signed by Magistrate Judge Timothy S Hogan on 2/2/2009. (art,) (Entered: 02/03/2009)